

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

MARY BECKER,

Plaintiff

v.

C-1-07-950

COMMISSIONER OF SOCIAL SECURITY,

Defendant

**ORDER**

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 9) to which neither party has objected.

Upon a *de novo* review of the record, the Court finds that the Magistrate Judge has accurately set forth the applicable law and has properly applied it to the particular facts of this case. This Court accepts the Report as uncontroverted. The Report and Recommendation is **ADOPTED AND INCORPORATED** herein.

Accordingly, for the reasons stated in the Report and Recommendation (doc. no. 9) the Court finds the ALJ's analysis is unsupported by substantial evidence and the ALJ's non-disability finding is **REVERSED AND REMANDED** under sentence four of 42 U.S.C. § 405(g) so that the ALJ can accurately include all of plaintiff's impairments and restrictions

into her RFC assessment, including a narrative explanation for rejecting Dr. Deardorff's RFC, and an analysis of whether plaintiff's impairments (COPD, back pain and depression) in combination equal the Listing.

This case is **TERMINATED** on the docket of this Court.

**IT IS SO ORDERED.**

s/Herman J. Weber  
Herman J. Weber, Senior Judge  
United States District Court